

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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U.S. COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

Civil Action No. 12 CV 8791 (CM)

-against-

DECLARATION

ERIC MONCADA,
BES CAPITAL LLC, and
SERDIKA LLC,

ECF Case

Defendants.

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Richard M. Asche, a member of the firm of Litman, Asche & Gioiella, LLP.
attorneys for the defendant Eric Moncada, declares the following:

I make this declaration in support of the motion by Mr. Moncada to extend his
time to move or answer with respect to the Complaint from February 4, 2013 to February 25,
2013.

No previous application has been made to extend Mr. Moncada's time to answer.

I have spoken with the attorneys for the plaintiff, who consent to the requested
adjournment.

The adjournment is necessitated by the fact that this firm has only within the past
week been retained to represent Mr. Moncada.

Dated: New York, New York
February 4, 2013

/S/ Richard M. Asche
Richard M. Asche (RMA 7081)